

EXHIBIT A**LIST OF EXHIBITS**

Case Caption: Fagal v. Marywood University **Case Number:** 3:14-cv-02404-ARC
Venue: Middle District of Pennsylvania **Judge:** A. Richard Caputo

Joint	Pltf	Dft	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
		1.	Mission Statement and Core Values from Marywood University's the Faculty Handbook and University Goals & Objectives (DEF 000446-448)				
		2.	Marywood University's Civil Rights Policy and Complaint Procedures (DEF 003456, 3579-3581, 000437-438,)				
		3.	Marywood University's Conditions of Computer Use Policy (DEF 000439-441)				
		4.	December 15, 2011 Email From Parsons to Fagal Regarding Title Page and Abstract Draft (000200732.00001-000200732.00002)				

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		5.	December 15, 2011 Email From Fagal to Ziegelbauer Regarding “Update/Controversy” (000200613.00001-000200615.00003)				
		6.	December 19, 2011 Email From Fagal to Parsons Regarding “little idea and little update” (000200328.00001)				
		7.	December 29, 2011 Email From Benedict to Fagal Regarding Jeffy (000200288.00001)				
		8.	December 31, 2011 Email to Fred From Ben Regarding Republican Club (000200324.00002)				
		9.	January 3, 2012 Emails Between Plaintiff and Geri Lynn Smith Regarding Soon-to-be Posted YouTube Videos (000200209.00001-000200209.00004)				

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		10.	January 3, 2012 Emails Between Plaintiff and Rod Carveth Regarding Plaintiff's Soon-to-be Posted YouTube Videos (000200439.00001-000200439.00004)				
		11.	January 6, 2012 Letter from Bonilla to Munley Regarding Censorships of Professor's posters (DEF 000010-112)				
		12.	Screenshots of Plaintiff's YouTube Videos Parts 1 and 2 (DEF 000067-142)				
		13.	Typed Dialogue of Plaintiff's YouTube Videos Parts 1 and 2 (000000172.00001-000000172.000018)				
		14.	January 2012 Emails Between Benjamin Kent Harrington and Plaintiff Showing Plaintiff Continuing to Share Videos with Marywood University Faculty (000200324.00001-000200324.00002)				

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		15.	January 13, 2012 Email from W. Kevin Wylie to Plaintiff Stating That Plaintiff's January 13, 2012 Email Was "Inflammatory" and "Unprofessional" (0002000091.00001-0002000091.00004)				
		16.	January 15, 2012 Emails Between Plaintiff and Lindsay Groves Regarding Plaintiff's January 13, 2012 Email (000200378.00001-000200378.00002)				
		17.	January 17, 2012 email from Levine to Dunleavy Regarding Responses (DEF 002734-2735)				
		18.	Draft Media Response Statements by University (DEF 000157)				
		19.	January 20, 2012 Letter from Munley to Bonilla regarding taking down of poster (DEF 000159)				
		20.	January 25, 2012 Fagal Email with Harrington (000200324.00001)				

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		21.	January 27-January 30, 2012 Dunleavy Emails Monitoring Hits (DEF002845-2844)				
		22.	January 30, 2012 Emails Between Levine and Garvey (DEF 002756)				
		23.	March 7, 2012 Email from Dunleavy to Munley Regarding Grievance Meeting (DEF 002836)				
		24.	March 19, 2012 Emails between Sadlack and Plaintiff Regarding Receipt of Plaintiff's Grievance by Faculty Senate Grievance Committee (DEF 000272-273)				
		25.	May 3, 2012 Email from Dunleavy to Munley Summarizing Her Meeting With Ad Hoc Committee (DEF 000314)				
		26.	May 23, 2012 Email from Plaintiff to Ad Hoc Committee Regarding Past Discipline (DEF 000350-351)				

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		27.	May 24, 2012 Emails Between Dunleavy and Ann Boland-Chase Regarding Student Complaint (DEF 001756)				
		28.	June 7-11, 2012 Emails Between Ad Hoc Committee Members Regarding Anecdote About Family (DEF 000357-359)				
		29.	July 6, 2012 Emails Between Plaintiff and Linda Rose In Which Plaintiff Says He Does Not Want His Job Back (000200541.00001-000200541.00002)				
		30.	July 12, 2012 Email Exchange Between Ad Hoc Committee Members (DEF 001611-1615)				
		31.	Plaintiff's Work Application to Onondaga Community College (00000060.00001, 00000054.00001, 00000054.00001, 00000061.00001)				

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		32.	February 5, 2015 Emails Between Plaintiff and William Ziegelbauer Regarding Plaintiff's Case Strategy (000200369.00001-000200370.00001)				
		33.	November 18, 2016 Defendant's Expert Report				
		34.	April 11, 1995 Memorandum Regarding Fagal's Improper Behavior At Meeting (DEF 001345)				
		35.	October 6, 2006 Memorandum Regarding Posting of Offensive Cartoon by Fagal (DEF 001302)				
		36.	May 22, 2007 Memorandum Recounting Meeting with Fagal Regarding Improper Survey Conducted (DEF 001324)				
		37.	March 25, 2008 Complaint by Student Regarding Posting of Second Offensive Cartoon by Fagal and Follow-up Email (DEF 001308, 1319-1321)				

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		38.	Cartoon Posted by Fagal Depicting Sisters With Guns (DEF 001322)				
		39.	April 9, 2008 Email from Dunleavy to Torell Recounting Disciplinary Meeting with Fagal (DEF 001312-1315)				
		40.	August 28, 2008 Incident Report Regarding Fagal's Inappropriate Comment to Student (DEF 001354)				
		41.	November 9, 2011 Email from Foley to Levine Regarding Fagal Class Size (DEF 001343)				
		42.	Objections and Answers to Defendant's First Set of Interrogatories to Plaintiff				

JOINT LIST OF EXHIBTS

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1.	Marywood University's Tenure Agreement with Plaintiff (Complaint Ex. A)				
2.	Marywood University's 2011-2012 Letter of Agreement with Plaintiff (May 25, 2011) (DEF 000005)				
3.	July 1 2010 Handbook (DEF 003456-3696)				
4.	Marywood University's Goals & Objectives (DEF 000447-448)				
5.	Marywood University's Tenure Policy (DEF 000431-436)				
6.	Marywood University's Academic Freedom Policy (DEF 000442-443)				
7.	Marywood University's Professional Ethics Policy (DEF 000444-445)				

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8.	Marywood University's Progressive Discipline Policy (DEF 000455-459)				
9.	Marywood University's Faculty Grievances and Appeals Policy f (DEF 000449-454)				
10.	December 15, 2011 Letter from Levine to Fagal Regarding Misunderstanding Of What Transpired About The Posters (DEF 001480)				
11.	January 13, 2012 Email from Plaintiff to Marywood University Faculty Colleagues and Students Criticizing University Administration With Hyperlinks to YouTube Videos (FFF 001617-001664)				
12.	Plaintiff's YouTube Video Part 1 of 2				
13.	Plaintiff's YouTube Video Part 2 of 2				
14.	January 17, 2012 email from Levine to Munley Regarding Videos (DEF 002418-2419)				
15.	January 22, 2012 Emails Between Dunleavy and Levine (DEF 002759-2760)				

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16.	January 23, 2012 Dunleavy Handwritten Notes of Munley Meeting With Plaintiff Regarding YouTube Videos (DEF 000162-164)				
17.	January 23, 2012 Typed Notes of Munley Meeting With Plaintiff Regarding YouTube Videos (DEF 000143-144)				
18.	January 23, 2012 Email from Dunleavy to Fagel Regarding Confirmation of Meeting 1-23-12 (FFF 000085)				
19.	January 23, 2012 Email from Dunleavy to Munley Regarding Update (DEF 002916)				
20.	January 24, 2012, Marywood University Correspondence to Plaintiff Enclosing Statement of Charges and Recommending Termination (DEF 000165-187)				
21.	Munley Talking Points for Board Describing Steps Taken Since Learning of Videos (DEF 000145-146)				
22.	February 3, 2012 Dunleavy Note Regarding Progressive Discipline (DEF 000199)				

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23.	February 9, 2012 Letter From Williams to Cohen (DEF 003376-3378)				
24.	February 9, 2012 Marywood University Correspondence to Plaintiff Enclosing Revised Statement of Charges and Recommending Termination (DEF 000206-226)				
25.	February 22, 2012 Plaintiff's Grievance (DEF 003295-003455)				
26.	Grievance Committee Notes (DEF 000279-000282)				
27.	March 19, 2012 Letter from Sadlack to Munley Regarding Receipt of Plaintiff's Grievance (DEF 000269)				
28.	March 26, 2012 Letter from Sadlack to Plaintiff Regarding Faculty Senate Grievance Committee Decision (DEF 000276)				
29.	March 28, 2012 Emails Between Sadlack and Plaintiff Regarding Faculty Senate Grievance Committee's Findings (DEF 000283-296)				

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30.	March 29, 2012 Email from Fagel to Munley Regarding Ad Hoc Faculty Committee (FFF0016665)				
31.	April 3, 2012 Letter from Munley to Plaintiff Regarding Termination And Formation of Ad Hoc Faculty Committee (DEF 000302)				
32.	April 25, 2012 Email from Fagal to Levine (DEF 000306-308)				
33.	April 30, 2012 Email from Cabral to Plaintiff Regarding Composition of Ad Hoc Committee and That Committee Will be Convened Twice (DEF 001496)				
34.	May 6, 2012 Plaintiff's Written Defense to Ad Hoc Committee (DEF 001433-1442)				
35.	May 17, 2012 Bittel Notes of Call With Dunleavy Regarding Remediation (DEF 003702)				
36.	July 2, 2012 Decision of Ad Hoc Committee (DEF 000412-415)				

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37.	July 6, 2012 Email From Plaintiff to Ad Hoc Committee Disagreeing With Decision (DEF 000416-417)				
38.	July 13, 2012 Munley Letter to Plaintiff Regarding Final Termination Decision (DEF 000424)				
39.	July 15, 2012 Bittel Email to Munley Explaining July 13, 2012 Meeting of Ad Hoc Committee Regarding Review of Suspension (DEF 001513)				
40.	May 2017 SUNY Posting Application Letter and References (FFF 002851-002858)				
41.	Defendant's Answers and Objections to Plaintiff's First Set of Interrogatories				